
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

LEONARD R. KAHN,

Plaintiff,

vs.

iBIQUITY DIGITAL CORP. et al.,

Defendants.

**ORDER AFFIRMING MAGISTRATE
JUDGE'S ORDER**

Case No. 2:09CV814 DAK

This matter is before the court on the Magistrate Judge's Report and Recommendation dated September 16, 2010. In the Report and Recommendation, the Magistrate Judge recommended that this case should be dismissed for failure to complete service and for failure to respond to the Order to Show Cause filed on June 30, 2010.

The court has reviewed the complete case file *de novo*, including the many compilations of documents (usually entitled "Major Legal Update") filed by Mr. Kahn on August 26, 2010, September 16, 2010, October 4, 2010, October 18, 2010, November 15, 2010, and another set of duplicative documents dated November 26, 2010 and received by the court on December 2, 2010.¹

Unfortunately, the court is unable to make sense of these voluminous filings. Plaintiff appears to be confusing and combining his claims and named defendants from various lawsuits that he may have filed in other federal courts. While Plaintiff apparently has a distinguished past, his current filings reflect disorganized and incoherent thoughts about national and world conspiracies relating to "RICO cabal members" and Plaintiff's efforts to "halt the murder of Americans." Despite its best efforts, however, the court is unable to understand Plaintiff's factual

¹ See Docket Nos. 11, 14.

allegations or legal claims. It is also entirely unclear that this court even has jurisdiction over this lawsuit.

Along with filing several compilations of documents, Mr. Kahn also submitted various summonses to be issued by the court, but the summonses were returned to Mr. Kahn by the Office of the Clerk of Court because the twelve (12) proposed summonses were addressed to individuals and business entities who/that are not Defendants in this case. Not one proposed summons was directed to a Defendant named in the instant lawsuit.

Thus, what is clear in this instant lawsuit is that Plaintiff has failed to timely effect service of process and has failed to directly address the court's Order to Show Cause.

Therefore, having considered the entire record in this case, the court hereby APPROVES AND ADOPTS the Magistrate Judge's Report and Recommendation [Docket # 13] in its entirety. Mr. Kahn's claims are hereby DISMISSED without prejudice. Moreover, the court dismisses the action for the additional reasons that Plaintiff has failed to state a claim and has failed to assert in his complaint any basis that would provide this court with jurisdiction over this matter. The Clerk of the Court is directed to close this case.

DATED this 10th day of December, 2010.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL
United States District Judge